

RCE/1600

PTO/SB/30 (08-00)

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OCT 25 2002

REQUEST

FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See the American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|---------------------|
| Application Number | 09/890,875 |
| Filing Date | August 7, 2001 |
| First Named Inventor | Hiromu OHNOGI et al |
| Group Art Unit | 1617 |
| Examiner Name | S. HUI |
| Attorney Docket Number | OHNOGI=1 |

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000) 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on September 26, 2002
(Any unentered amendment(s) referred to above will be entered)

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☐ Enclosed

i. ☐ Amendment/Reply

10/28/2002 KZEMDIE 00000008 09890875

ii. ☐ Affidavit(s)/Declaration(s)

01 FC:1801

740.00 OP

iii. ☐ Information Disclosure Statement (IDS)

02 FC:1253

520.00 OP

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required).

b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when RCE is filed.

a. ☒ The director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-4035

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ 3 month Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) Less fees (\$400.00) already paid for 2 months extension of time on September 26, 2002, of \$ 520.00 enclosed.

b. ☐ Check in the amount of \$ _____ enclosed (Check No. _____)

c. ☒ Payment by credit card (Form PTO-2038 enclosed) authorized in the amount of \$ 1260.00

d. ☒ Provisional extension of time if needed. Applicants authorize any charge of additional fees (except issue fee) which may be required in connection with this application to Deposit Account No. 02-4035.

SIGNATURE OF APPLICANT, ATTORNEY, AGENT REQUIRED

| | | | |
|-------------------|---|-----------------------------------|------------------|
| Name (Print/Type) | Sheridan Neimark | Registration No. (Attorney/Agent) | 20,520 |
| Signature |  | Date | October 25, 2002 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: _____

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|-------------------|--|-----------------------------------|--|
| Name (Print/Type) | | Registration No. (Attorney/Agent) | |
| Signature | | Date | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.